

Update on Santa Monica Bay NEP for Region 9 Review

2015 Lawsuit Outcome

- In 2016, Walter Lamb, President of the Ballona Wetlands Land Trust prevailed in his lawsuit against the Santa Monica Bay Restoration Commission.
- The Los Angeles Superior Court found the Commission to be in violation of the California Public Record Act and required the Commission to produce numerous records, pursuant to state transparency laws.
- Mr. Lamb is also a member of the Watershed Advisory Council, a stakeholder body of the Santa Monica Bay NEP Management Conference as well as an active participant in the Management Conference Governing Board meetings.

Recent events

- A second lawsuit was filed by Walter in late 2016 alleging misuse of public funds relating to use of office space by The Bay Foundation staff. This case is still active and a trial date has been set for August 31, 2017.
- The Bay Foundation and Ballona Wetlands Land Trust have had initial pre-litigation discussions last week and R9 hopes they will reach resolution without litigation.
- Since the 2015 lawsuit, R9 has been providing guidance to the Management Conference to: 1) elaborate on the roles of the Santa Monica Bay Restoration Commission and The Bay Foundation and 2) discuss options for clarifying the governance structure moving forward.
- The Management Conference is currently focused on identifying gaps and funding opportunities to implement the Comprehensive Monitoring Plan.

Background

- The Santa Monica Bay NEP was established in 1988.
- The two chief entities which compose the Santa Monica Bay NEP are Santa Monica Bay Restoration Commission and The Bay Foundation.
- The Commission provides state staff and administrative support to the NEP and facilitates state funding of the Comprehensive Conservation and Management Plan (CCMP) implementation.
- The Bay Foundation, founded in 1991 has been the grant recipient for 320 funds since the early 2000's.
- Tom Ford is the current Santa Monica Bay NEP Executive Director.